

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

AMERICAN INTERNATIONAL GROUP, INC.,)
et al.,)

Plaintiffs,

V.

ACE INA HOLDINGS, INC., *et al.*,

Defendants.

No.: 07 CV 2898

Judge Robert W. Gettleman

Magistrate Judge Sidney I. Schenkier

LIBERTY MUTUAL INSURANCE CO., *et al.*,)

Counter-Claimants,

V.

AMERICAN INTERNATIONAL GROUP, INC.,)
et al.,)

Counter-Defendants.

SAFECO INSURANCE COMPANY OF)
AMERICA and OHIO CASUALTY)
INSURANCE COMPANY, individually, and on)
behalf of a class consisting of members of the)
National Workers Compensation Reinsurance)
Pool,)

Plaintiff,

V.

AMERICAN INTERNATIONAL GROUP, INC.,)
et al.,)

Defendants.

No. 09 C 2026

Judge Robert W. Gettleman

Magistrate Judge Sidney I. Schenkier

**ORIGINAL CLASS PLAINTIFFS' SECOND MOTION TO STRIKE ALL OR
PORTIONS OF DECLARATIONS SUBMITTED WITH JUNE 3 REPLY BRIEFS**

For the reasons stated in our Memorandum filed herewith, Safeco Insurance Company of America and Ohio Casualty Insurance Company (“Original Class Plaintiffs”) move to strike (1) the declarations of Ericksen, Sumner, Appel; (2) to the extent the opinion of any of the following is offered under Fed. R. Evid. 702, Intervenor, Klein, Snider, Leslie, and Merlino; and (3) all hearsay testimony, notably Leslie’s (at pp. 30-33 of his Second Supplemental Declaration) regarding whether AIG discounted its settlement offer or has a limited fund from which to pay Leslie’s clients and the Class.

Dated: June 13 , 2011

Respectfully submitted,

SAFECO INSURANCE COMPANY OF
AMERICA AND OHIO CASUALTY
INSURANCE COMPANY

By: s/ Gary M. Elden
One of their Attorneys

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CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that on June 13, 2011, I caused a true and correct copy of the foregoing **ORIGINAL CLASS PLAINTIFFS' SECOND MOTION TO STRIKE ALL OR PORTIONS OF DECLARATIONS SUBMITTED WITH JUNE 3 REPLY BRIEFS** to be filed with the Clerk of the Court and served using the CM/ECF e-filing system upon all counsel of record.

s/ Gary M. Elden _____
Gary M. Elden